



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:

Application No.: 10/618,803

Date Filed: 07/14/2003

Inventors: NAJDEK, et al.

Title: DUAL PHASE COSMETIC  
COMPOSITION

) Docket No.: 98.22US-CON  
)

) Examiner: WEBMAN,  
) Edward J.  
)

) Art Unit: 1616  
)

) Conf. No.: 5789  
)

) Customer No.: 23487  
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INFORMATION DISCLOSURE STATEMENT

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the enclosed PTO/SB/08A and/or 08B. Copy(ies) of the required reference(s) is/are enclosed. English abstract(s) and translation(s) of reference(s) in foreign language(s) is/are also included. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, BUT before the mailing date of a Final Rejection, Notice of Allowance or an Ex Parte Quayle Action.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).

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☐ c. Please credit or debit the **Deposit Account No. 05-1320** in payment of the fee under **37 C.F.R. §1.17(p)** as needed to ensure consideration of the disclosed information. A copy of this paper is enclosed.

☒ 3. This Information Disclosure Statement is **being filed more than three months after the U.S. filing date AND after the mailing date of a Final Rejection, Notice of Allowance or an Ex Parte Quayle Action, BUT before payment of the Issue Fee.** Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Please credit or debit the **Deposit Account No. 05-1320** in payment of the petition fee under **37 C.F.R. §1.17(p)** as needed to ensure consideration of the disclosed information. A copy of this paper is enclosed.

- **Final Office Action was mailed on 08/01/07. A Request for Continued Examination (RCE) is being filed concurrently herewith.**

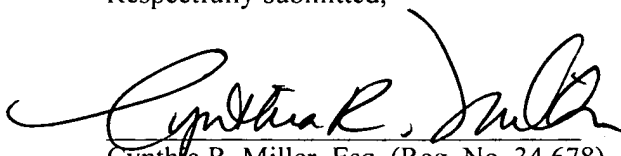
- **The RCE is being filed, since the Statement under 37 C.F.R. 1.97(e) cannot be satisfied.**

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. **37 C.F.R. §1.97(e)(1).**

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in **37 CFR §1.56(c)** more than three months prior to the filing of this Information Disclosure Statement. **37 C.F.R. §1.97(e)(2).**

Respectfully submitted,

Date: 10/05/07

  
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